



## Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
[www.raleighnc.gov](http://www.raleighnc.gov)

**Case File:** A-19-17

**Property Address:** 915. S. Person Street

**Property Owner:** David Point and David Jones

**Project Contact:** David Jones

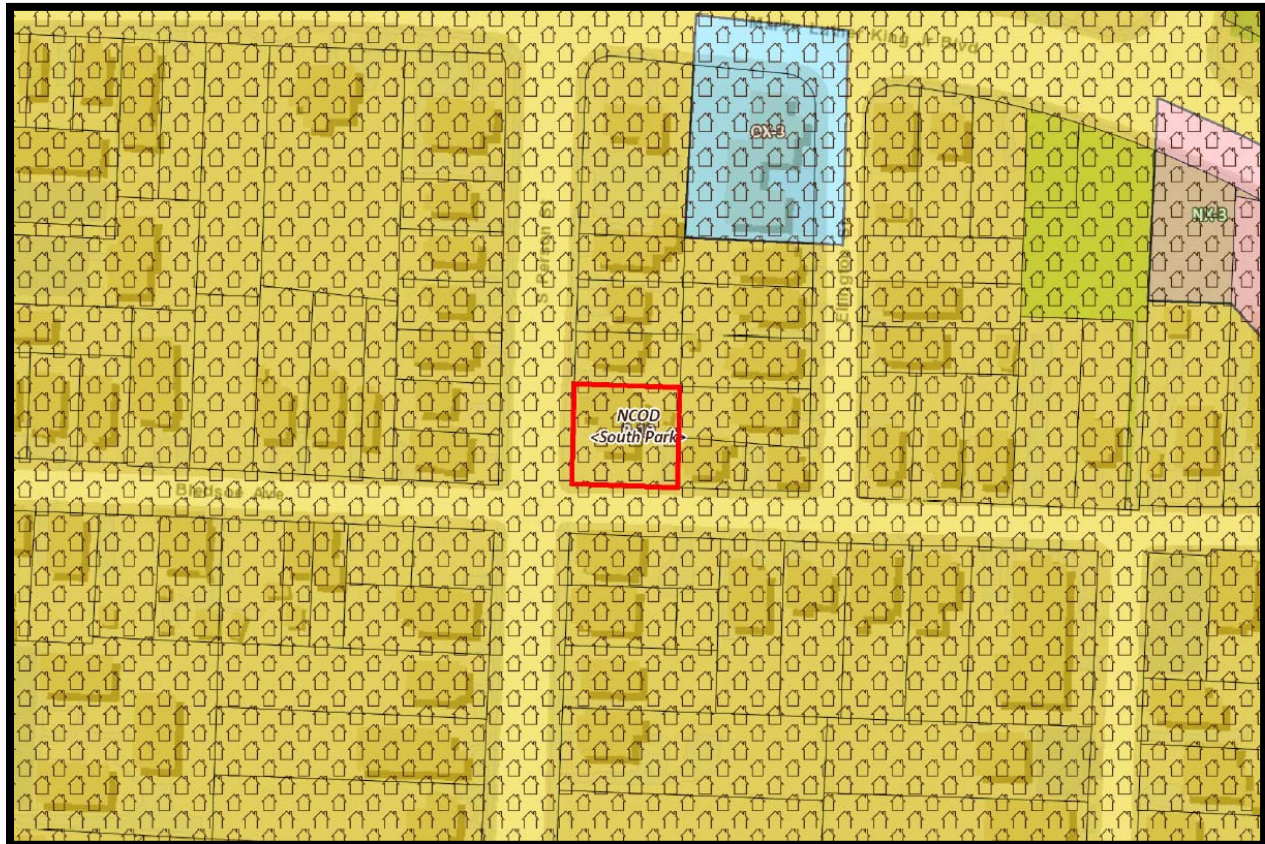
**Nature of Case:** A request for a 4' variance to the minimum lot width requirements of the South Park Neighborhood Conservation Overlay District set forth in Section 5.4.3.F.15.c. of the Unified Development Ordinance so that a lot can be subdivided such that two 36' wide lots result that are zoned Residential-10 and Neighborhood Conservation Overlay District and located at 915 S. Person Street.



**915 S. Person Street – Location Map**

**To BOA:** 2-13-17

**Staff Coordinator:** Eric S. Hodge, AICP

**ZONING****DISTRICTS:** Residential-10 and Neighborhood Conservation Overlay District (South Park)**915 S. Person Street – Zoning Map**

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

**Zoning District Standards:** The subject property is zoned Residential-10 and Neighborhood Conservation Overlay District

**Residential-10**

**Lot Dimensions**

Area (min)	4,000 SF
Width – interior lot (min)	45
Width – corner lot (min)	60'
Depth -	60'

<b><u>Yard Type</u></b>	<b><u>Minimum Setback</u></b>
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	10'
Rear	20'

**South Park NCOD**

Minimum lot size: 3,000 Square feet

Maximum lot size: 8,000 Square feet

Minimum lot width: 40 feet

Maximum lot width: 80 feet

Front yard setback: within 10% of the average front yard setback established by buildings on the same side of the block face of the proposed building, but not less than 8 feet or greater than 30 feet.

Building entrance: The main building entrance shall face the street from which the building is addressed. No upper story entrance shall be visible from an adjacent public street right-of-way.

Maximum building height: 25 feet.

Off-street parking: Parking shall be located to the side or rear of the building. With the exception of single-unit living, no parking areas shall be located in front of any principal building. Single-unit living parking shall be regulated according to Article 7.1



# Application for Variance





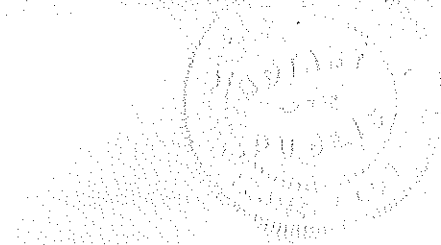
RALEIGH

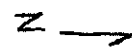


Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

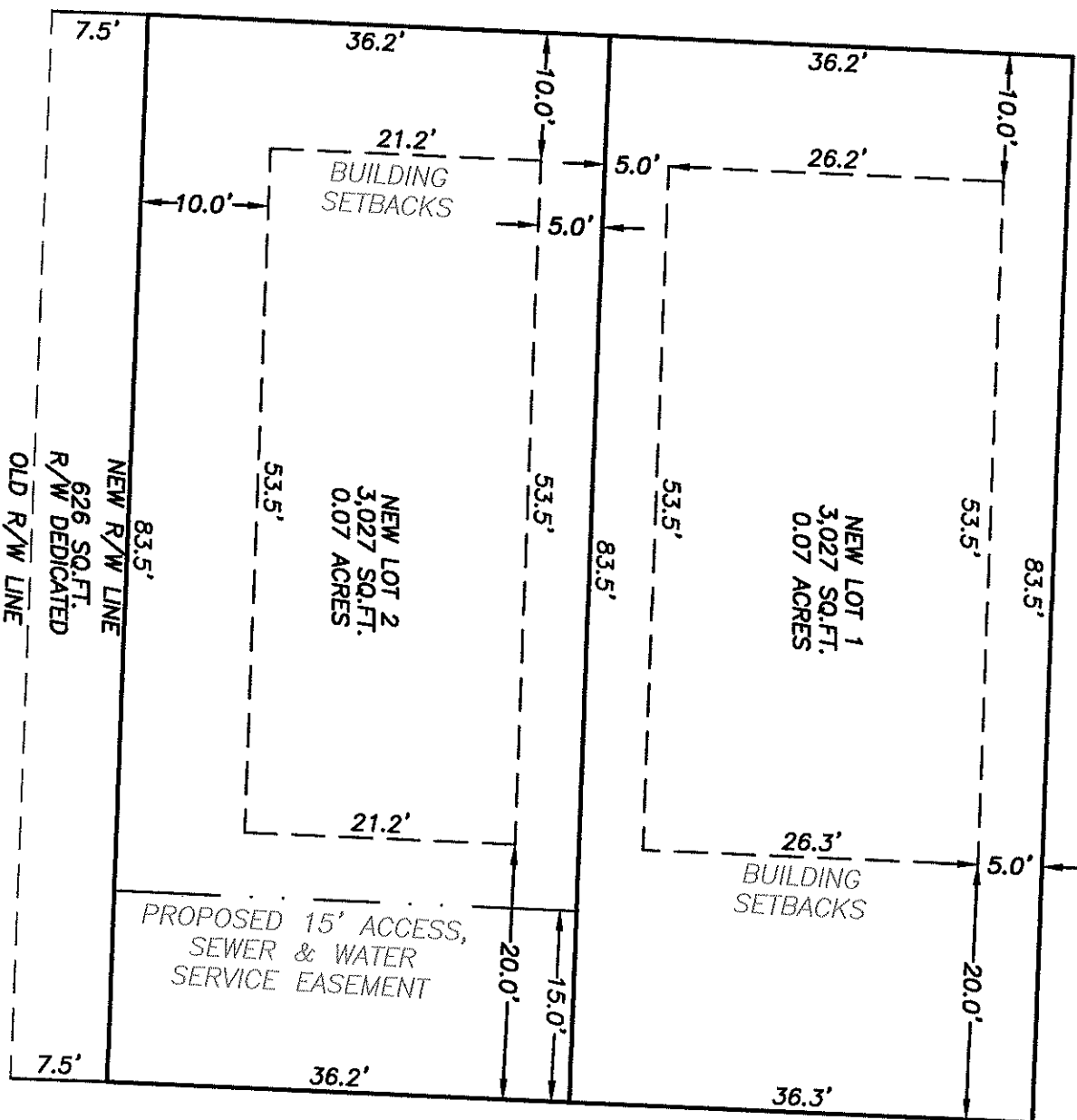
Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
<p><b>Nature of variance request (if more space is needed, submit addendum on separate sheet):</b>                      Requesting a Harship Variance to allow an exception for the minimum lot width requirement for the special overlay district (South Park Neighborhood) from 40' to 36'. The requirements are met under the existing conditions. Bledsoe Avenue is being classified as a Neighborhood Yield street and requiring 56' of r/w width. This will require 7.5' of r/w to be dedicated to the existing r/w of 40' for the subdivision to be approved. The 7.5 of r/w dedication will reduce the lot frontage less than the required 40'.</p>	<p>Transaction Number</p>
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p> <p><b>Transaction #483263. No Previous variance request</b></p>	

GENERAL INFORMATION		
Property Address <b>915 S Person ST</b>	Date <b>1/6/2017</b>	
Property PIN <b>1703842810</b>	Current Zoning <b>R-20</b> <del>R-20</del> <b>R-10</b> <sup>NCDD</sup>	
Nearest Intersection <b>S Person and Bledsoe Ave</b>	Property size (in acres) <b>.15</b>	
Property Owner <b>David Point</b>	Phone <b>9106206794</b>	Fax <b>NA</b>
Owner's Mailing Address <b>3409 Whitford Ct, Raleigh, NC, 27606</b>	Email <b>david.w.point@gmail.com</b>	
Project Contact Person <b>David Point</b>	Phone <b>9106206794</b>	Fax <b>NA</b>
Contact Person's Mailing Address <b>3409 Whitford Ct, Raleigh, NC, 27606</b>	Email <b>david.w.point@gmail.com</b>	
Property Owner Signature 	Email <b>david.w.point@gmail.com</b>	
<p>Notary</p> <p>Sworn and subscribed before me this <u>6</u> day of <u>January</u>, 20<u>17</u></p>	<p>Notary Signature and Seal</p> <p></p> <p></p>	



S. PERSON STREET S.R. # 2026  
(66' PUBLIC R/W)



BLEDSOE AVENUE  
(40' PUBLIC R/W)



# Online Development Center

RALEIGH, NORTH CAROLINA



## Plan Review

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### Plan Review Comments

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#### Plan Review Results:

This is an incomplete listing of your review for this project. Do not bring any revisions pertaining to this review. If revisions will be required, a complete listing of review comments will be faxed or emailed to the project contact person upon the completion of this review cycle.

#### NOTE:

Once all review trades are approved and there are no outstanding administrative issues such as map recordings, contractor licensing information, etc., it could take up to three (3) days before your project will be ready for permit pick-up. Your project contact person will be notified via fax, email or phone.

<b>Transaction Number:</b>	483263	<b>Contact Person:</b>	JEFF DAVIS	
		<b>Phone:</b>	(919) 781-0234	
		<b>Fax:</b>	(800) 948-0213	
<b>Review Type Description:</b>	POINT SUBDIVISION/S-51-2016/LEAD=WALTERS/PIN #: 1703842810			
<b>Plan Address:</b>				
<b>Group Created:</b>	08/11/2016	<b>Started Plans Routing:</b>	08/11/2016	<b>Review Approved:</b>
<b>Final Review Approved:</b>		<b>Permits Issued:</b>		

#### Review Cycle - 1      Started - 08/11/2016      Completed - 08/25/2016

Trade	Status	Reviewer	Date
STORMWATER	APPROVED	MCKENZIE GENTRY	08/23/2016
FIRE PROTECTION	APPROVED	RYAN CUTRIGHT (919) 996-2197	08/24/2016
1 No fire protection work being completed under this transaction.			
ADDRESSING TEAM	APPROVED	DARNELL ALLEN	08/23/2016
CSC PLAN INTAKE PROC	APPROVED	TASHA MCDOWELL (919) 996-2437	08/11/2016
PUBLIC UTILITIES	UNRESOLVED	PATRICK PAINE (919) 996-3481	08/24/2016



1 Existing utility services (unused) shall be abandoned at tap (main) & removed from ROW or easement - PU Handbook pg 67 & pg 125.

2 Private water & sewer mains (or services) may not cross property lines - Sec.8-2007.

3 Add these 2 notes to your plan sheet.

**PLANNING                      UNRESOLVED                      MICHAEL WALTERS                      08/25/2016**

1 Add "S-51-16" to cover sheet.

2 Add Transaction # 483263 to cover sheet.

3 Adjacent property owners are required to be notified. See instructions emailed to applicant this date..

4 FYI - NCOD size standards must be met following any required Right of Way dedication. Should required Right of Way impact size standards of NCOD overlay - a hardship variance may be required..

5 FYI - As per past zoning interpretation, the density requirement of R-10 (2.2.1) is not applicable in this case as lot size is dictated by NCOD overlay..

6 Site plan sheet - label proposed property line for clarity..

7 Site plan sheet - Is the existing carport and storage building to be removed, if so please label as such. These accessory bldg cannot remain without the exist sfd. Please label, "to be removed".

8 Site plan sheet - Street frontages are required - see transportation and urban forestry comments..

9 Cover sheet - please add "(South Park District)" to the zoning district line, by NCOD, on the application on the cover sheet, as this is the NCOD district..

**URBAN FORESTRY                      UNRESOLVED                      ANDY GILLIAM                      08/25/2016**  
(919) 996-2477

1 The subject site is smaller than two acres. Compliance with UDO Article 9.1 Tree Conservation is therefore not required..

2 Per Transportation reviewer comments, new street trees are required between a new 6'-wide strip between the new sidewalk and curb. See UDO 8.5.1.D..

3 Provide a landscape plan sheet next submittal that shows the required plantings..

4 Provide detail PRCR-03 for planting specifications for trees installed in the public right-of-way..

5 Provide a note on the Landscape Plan that states: "A Tree Impact Permit is required prior to issuance of building permits.."

6 Provide a note on the Landscape plan that states: "Street trees shall be installed and maintained in accordance with the requirements of Chapter 2 of the Raleigh City Tree Manual.."

**TRANSPORTATION                      UNRESOLVED                      CADELL HALL                      08/24/2016**

1 Bledsoe is classified as a Neighborhood Yield street which requires 55' of r/w width. 7.5' of r/w required to be dedicated..

2 Neighborhood Yield Streetscape requirements found in UDO 8.4.4.6' planting area with street trees, 6' sidewalks, 2' Utility Strip required..

3 If sidewalk and street trees are not provided, a fee-in-lieu of construction will need to be paid..



Owner,Address1,Address2,Address3

"LEE, CAROLYN A ","1004 S PERSON ST","RALEIGH NC 27601-2649"," "

"THORNTON, MARGARET DELORES THORNTON, NELSON OLIVER","916 S PERSON ST","RALEIGH NC 27601-2314"," "

"HOSSEINI, SAYED HASSAN ","108 KINGSMILL RD","CARY NC 27511-7240"," "

"GOODSON, HENRY A JR ","3601 HORSEMINT TRL","ZEBULON NC 27597-8910"," "

"LINDSAY, E GLENN ","701 E EDENTON ST","RALEIGH NC 27601-1131"," "

"CRAVEN, MONTROSE CRAVEN-CARR, SHARON E","1003 S PERSON ST","RALEIGH NC 27601-2648"," "

"WAKE 1001 SOUTH PERSON TRUST ","ARGUS MANAGEMENT GROUP INC","PO BOX 4372","CARY NC 27519-4372"

"PHILLIPS, CATHERINE G ","307 BLEDSOE AVE","RALEIGH NC 27601-2657"," "

"HORTON, ANTHONY W HORTON, HELEN","1345 TURNER FARMS RD","GARNER NC 27529-9331"," "

"NEAL, CHARLIE NEAL, FRANCES","909 S PERSON ST","RALEIGH NC 27601-2313"," "

"LASSITER, LILLIAN ","905 S PERSON ST","RALEIGH NC 27601-2313"," "

"AUSTIN, ALTON ","308 BLEDSOE AVE","RALEIGH NC 27601-2606"," "

"MCMILLIAN, TERESA DAVIS ","154 FOREST LAKE EST","MONCURE NC 27559-9781"," "

"EXCELSIOR HOLDINGS LLC ","724 N MAIN ST","WAKE FOREST NC 27587-2130"," "

"BUTLER, MIA DAWN SCHELL, KIM BUTLER","3327 W MANOR LN SW","ATLANTA GA 30311-2221"," "

"LINDSEY, MARGARET B ","600 CALLOWAY DR","RALEIGH NC 27610-4010"," "

"WALLACE, LAWRENCE ABEL WILBORN, TIFFANY DAWN","818 ELLINGTON ST","RALEIGH NC 27601-2310"," "

"JOHNSON, ELIZABETH L LIPSCOMB, MICHAEL L","934 SHADY LAWN ROAD EXT","CHAPEL HILL NC 27514-2014"," "

Applicant & Duplicates Deleted.

